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IN THE COURT OF APPEALS
FOR THE MIDDLE SECTION OF TENNESSEE

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BELLSOUTH TELECOMMUNICATIONS,)
INC.,)

Petitioner,)

v.)

THE TENNESSEE REGULATORY)
AUTHORITY,)

Respondent.)

TN REGULATORY AUTHORITY

No.: M2002-02054-COA-R12-CV

TRA Docket No. 00-00544

STATUS REPORT OF BELLSOUTH TELECOMMUNICATIONS, INC.

Pursuant to this Court's Order filed September 9, 2002, BellSouth Telecommunications, Inc. ("BellSouth") respectfully submits this Report as to the status of the federal action styled BellSouth Telecommunications, Inc., Plaintiff, v. The Tennessee Regulatory Authority, et al., Defendants, No. 3:02-0830, in the United States District Court for the Middle District of Tennessee (the "Federal Action").

BellSouth advises the Court that the Federal Action is still pending. The initial case management conference has been continually rescheduled at the request of the parties based on ongoing litigation in the Court of Appeals for the D.C. Circuit concerning an order of the Federal Communications Commission ("FCC") on which the decision of the TRA at issue in this appeal and the Federal Action was based. As a result of the D.C. Circuit's latest opinion, United States Telecom Association v. FCC, 2004 W.L. 374262 (D.C. Cir. March 2, 2004), the FCC issued a new ruling on February 4, 2005 entitled Order on Remand, In the Matter of Unbundled Access

To Network Elements, WC Docket Number 04-313, CC Docket Number 01-338, 2005 WL 289015 (FCC Feb. 4, 2005) (hereinafter referred to as the "Triennial Review Remand Order").

The initial case management conference in the Federal Action is currently scheduled for March 14, 2005. The parties are in the process of filing a joint motion to continue this case management conference on the basis that the merits of the appeal may be materially affected by the Triennial Review Remand Order. Consequently, the parties need time to analyze the Triennial Review Remand Order and its implications on this case.

No further action has been taken in this case.

DATED: March 10, 2005

Respectfully submitted,



R. Dale Grimes (#6223)
Andrea Taylor McKellar (#19618)
BASS, BERRY & SIMS PLC
AmSouth Center
315 Deaderick Street, Suite 2700
Nashville, Tennessee 37238-3001
(615) 742-6200

Guy M. Hicks (#0232)
BELLSOUTH TELECOMMUNICATIONS, INC
333 Commerce Street, Suite 2101
Nashville, Tennessee 37201-3300
(615) 214-6301

*Attorneys for Petitioner
BellSouth Telecommunications, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing document has been served on the following person(s), via the method(s) indicated, on this the 10th day of March, 2005:

<input type="checkbox"/> Hand	James P. Lamoureux, Esq.
<input checked="" type="checkbox"/> Mail	AT&T Communications
<input type="checkbox"/> Facsimile	Suite 8100
	1200 Peachtree Street, Northeast
	Atlanta, GA 30309
<input type="checkbox"/> Hand	Charles B. Welch, Jr., Esq.
<input checked="" type="checkbox"/> Mail	Farris, Mathews, Branam, Bobango & Hellen PLC
<input type="checkbox"/> Facsimile	205 Capitol Boulevard, Suite 303
	Nashville, TN 37219
<input type="checkbox"/> Hand	Mr. Bruce H. Mottern
<input checked="" type="checkbox"/> Mail	Director of State Regulatory Affairs
<input type="checkbox"/> Facsimile	TDS Telecom
	9737 Cogdill Road, Suite 230
	P.O. Box 22995
	Knoxville, TN 37933-0995
<input type="checkbox"/> Hand	J. Richard Collier, Esq.
<input checked="" type="checkbox"/> Mail	General Counsel
<input type="checkbox"/> Facsimile	Tennessee Regulatory Authority
	460 James Robertson Parkway
	Nashville, TN 37219-0505
<input type="checkbox"/> Hand	Ms. Catherine F. Boone
<input checked="" type="checkbox"/> Mail	Covad Communications Company
<input type="checkbox"/> Facsimile	1230 Peachtree Street NE #19
	Atlanta, GA 30309-3574.
<input type="checkbox"/> Hand	Henry M. Walker, Esq.
<input checked="" type="checkbox"/> Mail	Boult, Cummings, Conners & Berry PLC
<input type="checkbox"/> Facsimile	414 Union Street, Suite 1600
	Nashville, TN 37219
<input type="checkbox"/> Hand	Joshua M. Bobeck, Esq.
<input checked="" type="checkbox"/> Mail	Swidler, Berlin, Shereff, Friedman, LLP
<input type="checkbox"/> Facsimile	3000 K Street, Northwest, Suite 300
	Washington, D.C. 20007-5116

- ☐ Hand
☒ Mail
☐ Facsimile

Paul G. Summers, Esq.
Attorney General of the State of Tennessee
425 Fifth Avenue North, 2nd Floor
P.O. Box 20207
Nashville, TN 37202-0207

- ☐ Hand
☒ Mail
☐ Facsimile

Mr. Pat Miller, Chairman
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

- ☐ Hand
☒ Mail
☐ Facsimile

Edward Phillips, Esq.
United Telephone-Southeast, Inc.
14111 Capital Boulevard
Wake Forest, North Carolina 27587

